

**WASHINGTON STATE HUMAN RIGHTS COMMISSION  
MEETING OF  
July 25-26, 2002  
Heathman Lodge  
Vancouver, WA**

**MINUTES**

**THURSDAY, JULY 25**

**PARTICIPANTS**

**Commissioners:** Rudy Vasquez (Chair); Charlotte Coker; Ellis Casson; Dallas Barnes; and J. Reiko Callner.

**Staff:** Susan (Sue) J. Jordan; Executive Director; Arthur Stratton, District Manager; Tanya Calahan, Commission Clerk; and R. Dean Hirst, Equal Opportunity Compliance Specialist.

**Guests:** There were no guests present.

**OPENING**

The meeting was called to order by Commissioner Vasquez at 7:00 p.m. He welcomed everyone to the meeting.

**CLARK COUNTY  
UPDATE**

District Manager Arthur Stratton highlighted complaint statistics for Clark County; which is covered by the Olympia headquarters office. Most complaints are on the basis of disability; consistent with the statewide trend. Sex is the basis with second highest number of complaints.

Discussion ensued about the local human rights ordinance that was proposed for Vancouver. The Commission remained neutral on this issue. Commissioner Vasquez spoke about the challenges faced in Vancouver because of its proximity to Portland, Oregon. Grass roots organizations face struggles and the demographics in Vancouver continue to change.

**OPEN FORUM**

The Commissioners discussed restructuring Commission meetings. The lack of or low public attendance at several Commission meetings was also discussed.

This has been an ongoing topic discussed by the Commissioners. Commissioner Callner shared her suggestions about changing the format and focus of Commission meetings. She made the suggestion

of holding face to face meetings every other month in a central location, i.e., Sea Tac. This option might be preferable as a budget-saving measure if public participation cannot be improved. Alternately, she suggested having the Commissioners take the lead in inviting leaders of community groups to the meetings. These representatives can articulate what the issues in their respective communities are. The Commissioners discussed networking with the community by making visits within the community that meetings are held in and hearing from Commission staff about what's going on in the community.

There was discussion about hearing from community groups and educating them about what the Commission's jurisdiction and limitations are. Commissioner Coker expressed that advising the public of what the Commission can and can't do for them is a function of outreach. It was pointed out that the Commission has heard from companies who think that the Commission's outreach is worthwhile and beneficial.

Commissioner Vasquez commented that staff who are involved in outreach can cultivate networks in the community and build a data base of the key community groups. He pointed out that sending press releases to the media to gain attendees is not effective; a personal invitation to community groups works better.

Commissioner Casson stated that people come to community meetings when there is a crisis. Getting people to come out before a crisis starts is a challenge.

There was discussion about establishing productive partnerships with the community. Commission Clerk Tanya Calahan stated that when she sends invitations to community groups, they are informed that the Commission holds community meetings in an effort to establish productive partnerships with the community to further the Commission's mission to prevent and eliminate discrimination in the state of Washington.

Commissioner Vasquez commented that establishing and maintaining partnerships is lacking.

Commissioner Barnes inquired about what the best community meetings were. Commissioner Vasquez shared that it was the meetings where community groups have maintained relationships with the Commission.

District Manager Arthur Stratton stated that it was important to show what the value of having the community come to Commission

meetings is.

Commissioner Callner shared that the Commission is unique in that no other agency like it exists in the state. Therefore, the Commission can be presented in an appealing way to the public.

Commissioner Vasquez stressed the importance of being clear about what the Commission can do when groups bring issues forth.

Commissioner Callner volunteered to put a plan together for restructuring Commission meetings. Input will be obtained from staff and other Commissioners. It will be discussed at the September Commission meeting. Commissioner Casson stated that the Commissioners should move forward with a plan. The other Commissioners concurred.

Commissioner Vasquez expressed that a meeting in Bellingham should be included in plans for 2003. He further stated that the 2003 meeting schedule should be finalized timely so that it can be filed with the Code Reviser's office by the Clerk.

#### **ADJOURNMENT**

There being no further business, the meeting adjourned at 8:40 p.m.

Respectfully submitted,

A handwritten signature in cursive script, reading "Tanya Y. Calahan".

Tanya Y. Calahan  
Commission Clerk

**FRIDAY, JULY 26**

**PARTICIPANTS**

**Commissioners:** Rudy Vasquez (Chair); Charlotte Coker; Ellis Casson; Dallas Barnes; and J. Reiko Callner. A quorum was present.

**Staff:** Susan (Sue) J. Jordan, Executive Director; Arthur Stratton, District Manager; Tanya Calahan, Commission Clerk; R. Dean Hirst and Berneta Walraven, Equal Opportunity Compliance Specialists; and Susan Carlson, Assistant Attorney General.

**Guests:** There were no guests present.

**OPENING**

The meeting was called to order at 8:00 a.m. by Commissioner Vasquez.

Commissioner Vasquez asked that Commissioner Callner work with Commissioner Casson on restructuring Commission meetings since he is taking the lead on this project.

Commissioner Vasquez stated that Commissioner Coker will draft a summary of steps to conduct the Executive Director's evaluation for the September meeting. The Executive Director's evaluation will be done every year in June. The Clerk will remind the Commissioners in April every year of the need to conduct the Executive Director's evaluation.

Commissioner Vasquez shared that the Labor and Personnel Assistant Attorney General, Gretchen Gale, could not make it to the Vancouver meeting because she needed more notice. Questions for Ms. Gale should be sent in advance to the Attorney General's office. If the Commissioners have questions for Ms. Gale, they should be sent to Commissioner Coker before the August meeting. Commissioner Coker will serve as the Commissioners' liaison with Ms. Gale. He stated that Ms. Gale's role is a consultant to the Executive Director on labor and personnel issues.

**APPROVAL OF  
MINUTES**

Commissioner Callner made a motion to approve the minutes of June 27-28, 2002. Commissioner Coker seconded the motion. MOTION CARRIED.

**APPROVAL OF  
CASE  
CLOSURES**

Commissioner Casson made a motion to approve the amended case list for the period of June 22-July 19, 2002. Commissioner Coker seconded the motion. MOTION CARRIED.

**EXECUTIVE  
DIRECTOR'S  
REPORT**

Executive Director Sue Jordan highlighted her monthly written Executive Director's report. She spoke about agency activities.

Commissioners Vasquez and Callner commended staff for the recent survey that was sent to 116 Respondents. Ms. Jordan's report pointed out that 39 or 34.5% of the surveys were returned with many comments and suggestions.

Commissioner Barnes asked how individuals were selected to participate in the survey. Ms. Jordan stated that staff did their best with limited resources. Most of those surveyed participated in employment complaint investigations. Most of the Respondent's have experience working with the Commission in the past. Mary Clogston, who coordinated this effort, sought ideas from larger agencies that have experience conducting surveys.

Commissioner Barnes shared that a more scientific survey should be done if a survey is going to be used in an effective way.

Commissioner Vasquez added that how much time that is devoted to different protected classes should be looked at to address power imbalances between complainants and respondents. Different focus groups could be utilized.

Ms. Jordan commented that District Manager Cheryl Strobert is working with a Russian college student to do a survey to reach the Russian community.

Commissioner Callner asked about the 15 day Respondent response deadline that was commented about in the returned surveys; specifically whether staff is flexible in extending the deadline. Staff is flexible in this area. However, the US Department of Housing and Urban Development has a 10 day deadline for housing cases.

Ms. Jordan stated that staff's short term goal is to contact both parties (Complainant and Respondent) every 30 days about case status.

Commissioner Callner offered to send staff copies of sample letters that her agency uses to inform parties about what to expect on their cases.

Executive Director Jordan highlighted several recent personnel changes.

Eastern Washington Field Service Manager interviews will be

conducted on August 1<sup>st</sup> or 2<sup>nd</sup>. Interviews for two Equal Opportunity Compliance Investigator (EOCI) 2 positions were recently conducted. Janice Whitman, who was a temporary EOCI 2, was selected for one of the positions. EOCI 1 positions will be filled for the phone center in the Olympia office. Anna White was hired as the Secretary Senior in the Olympia office.

The Deputy Director interviews will be conducted on July 22-23, 2002. Commissioner Barnes expressed concern about the hiring process for the Deputy Director. He stated that the Commissioners should have some say about who the Deputy Director is. He shared that he doesn't specifically want to be on an interview panel but suggested that the final choices be presented to the Commissioners.

Commissioner Casson requested that another copy of the Deputy Director job announcement be sent to him.

Commissioner Casson stated that the Chair should be part of the final interview panel. He expressed how important Commissioner involvement was because the Deputy Director is second in command of the agency.

Commissioner Vasquez commented that any proposed procedural changes need clear discussion. He stated that it was important to separate operational matters from Commissioners duties and responsibilities.

Commissioner Callner commented that authority to hire a Deputy Director should rest with the Executive Director but in similar agencies, there is normally some involvement in high level hiring decisions by the Commissioners or board members. Final candidate information could be presented to the Commissioners for informational purposes.

There was consensus by the Commissioners that Commissioner Vasquez will participate on the final Deputy Director interview panel on behalf of the Commissioners.

There was discussion about outreach. Commissioner Vasquez stated that outreach should be a conduit to the community. It can also serve as a linkage for Commission meetings. He asked whether the Commission is reaching people in various protected groups. Executive Director Jordan pointed out that resources are limited. If outreach focus is shifted, those limited resources should be considered.

Commissioner Callner suggested that the issue of outreach and focus

be put in a report so the Commissioners can have something to look at; specifically, what outreach is and how its success is measured.

**TRAINING ON THE  
WA STATE LAW  
AGAINST  
DISCRIMINATION**

Equal Opportunity Compliance Specialists Dean Hirst and Berneta Walraven provided training on the Washington State Law Against Discrimination (LAD) to the Commissioners.

Mr. Hirst explained the investigation process from intake to closure. He provided samples of investigation files to the Commissioners. He spoke about how investigations are conducted, how evidence is gathered and reviewed by investigators, and how "cause" or "no reasonable cause" is determined.

Ms. Walraven highlighted the areas of discrimination covered by the LAD and the protected classes. She spoke about investigative theories and the how those theories are used while conducting investigations. Ms. Walraven also spoke about case law that has shaped discrimination law.

The Commissioners thanked Mr. Hirst and Ms. Walraven for the training they conducted. Commissioner Vasquez suggested that training for the Commissioners be done for the Commissioners next year.

**COMMISSION  
BUSINESS**

The Commissioners discussed the draft Interpretation and Translation Policy. Commissioner Callner stated that it was her understanding that the draft policy was to include only the first paragraph. She added that the first paragraph is a good policy goal and that a memo of clarification could be attached to the policy statement.

District Manager Arthur Stratton inquired about the draft policy; specifically, whether the policy intent was to produce all training materials in all six languages and whether the agency's web site needs to be other languages.

Assistant Attorney General Susan Carlson stated that including a cover memo with the policy could clarify expectations of the policy.

Commissioner Vasquez will draft an interpretive cover memo for the draft Interpretation and Translation Policy. The policy should include only paragraph one in the draft policy.

There was discussion about the adopted policies: Statement of Policy Regarding Investigative Files and Statement of Policy Regarding Agency Work Product. Commission Clerk Tanya Calahan put the policies in a written document to be signed by the

Commissioners. The interpretive cover memo drafted by Commissioner Callner will be included with the policies and distributed to staff.

A proposed Marketing Policy was discussed.

Commissioner Vasquez stated that hard data should be reviewed before changing the image of the Commission. He also commented that what is meant by "outreach" should be clarified.

Executive Director Sue Jordan will put together a document that describes various marketing approaches. The Commissioners will then look at options and identify priorities. This will be done by the September 2002 Commission meeting.

There was discussion about agency publications and brochures. There are some brochures that have been drafted but have not been distributed. Staff raised concern about not being able to move forward with the brochures.

Commissioner Vasquez stated that the new publications should not be distributed without the consent of the Commissioners as this may affect the image of the agency. He stated that the winning logo of the agency logo and tag line contest is not the approved image of the agency. Staff could bring proposed ideas for publications before the Commissioners for their consideration prior to public distribution.

Executive Director Sue Jordan spoke about the agency's budget. She stated that the amount in the budget is the same as the last biennium. Commissioner Barnes asked about the \$25,000 that was given back to the state. Ms. Jordan stated that this amount was small compared to what other agencies had to give back.

There was discussion about the strategic plan and how it ties in with the budget. Assistant Attorney General Susan Carlson commented that the agency receives a set amount for a budget and the strategic plan is looked at to determine how the money should be spent. The legislature doesn't dictate that.

Commissioner Barnes stated that if additional funds are not requested that it won't be received.

Commissioner Coker stated that the agency needs to have a plan to show how money in the budget is being utilized.



Commissioner Callner shared information about the training sponsored by the Office of Administrative Hearings on August 21-23, 2002 at Evergreen State College on the administrative hearings process. She will provide additional information about the training.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 2:06 p.m.

Respectfully submitted,

A handwritten signature in cursive script, reading "Tanya Y. Calahan".

Tanya Y. Calahan  
Commission Clerk

**ACTION ITEMS**  
**JULY 25-26, 2002 COMMISSION MEETING**

1. **Item:** Commissioners Casson and Callner will work together on a plan for restructuring Commission meetings.

**Status:** A draft will be prepared in time for the September 2002 Commission meeting.
2. **Item:** Send Commissioner Casson a copy of the Deputy Director job announcement.

**Status:** A copy was sent to Commissioner Casson on July 31, 2002.
3. **Item:** Commissioner Coker will draft a summary of steps for conducting the Executive Director evaluation.

**Status:** The summary will be prepared in time for the September 2002 Commission meeting.
4. **Item:** Commissioner Callner will send staff copies of sample letters that her agency uses to inform parties about what to expect on their cases.

**Status:** Copies will be sent to Sue Jordan by August 23, 2002.
5. **Item:** Commissioner Vasquez will prepare a cover memo of explanation to include with the draft Interpretation and Translation Policy.

**Status:** The cover memo will be prepared in time for the September 2002 Commission meeting.
6. **Item:** Executive Director Sue Jordan will put together a document that describes different marketing and outreach approaches so the Commissioners can look at options and identify priorities.

**Status:** The document will be prepared and distributed to the Commissioners in time for the September 2002 Commission meeting.